

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re BAYCOL PRODUCTS LITIGATION

MDL NO. 1431
(MJD/SRN)

This Document Relates to:

ORDER

William Adams, et al., v. Bayer Corp., et al.
(Plaintiff Walter Pennington only)

Case No. 03-4946

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated April 20, 2007. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendant Bayer Corporation's Motion for Discovery Sanctions against Plaintiff Walter Pennington [Doc. No. 14] is GRANTED; and
2. Plaintiff Walter Pennington's action is DISMISSED WITH PREJUDICE.

DATED: MAY 22 2007, 2007.



Judge Michael J. Davis
United States District Court Judge

SCANNED

MAY 24 2007

U.S. DISTRICT COURT MPLS